

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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IN RE TERRORIST ATTACKS ON SEPTEMBER 11, 2001:
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1:03 MDL 1570 (GBD)(SN)
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This document relates to:
Grazioso, et al., v. The Islamic Emirate of Afghanistan aka the Taliban, et al., 1:22-cv-01188
 (GBD)(SN)

**DECLARATION OF ANDREW C. LEVITT, ESQ.
IN SUPPORT OF MOTION FOR PARTIAL FINAL DEFAULT JUDGMENT
AGAINST THE DEFENDANT TALIBAN**

I, ANDREW C. LEVITT, Esq., co-counsel for a subset of the *Grazioso* Plaintiffs, am over eighteen years of age, and I am a member of the Bar of the State of New York. I hereby submit this Declaration in support of the Plaintiffs' Motion for Partial Final Judgment Against the Islamic Emirate of Afghanistan aka the Taliban, and I state, in support thereof, the following:

1. I am Senior Counsel at the firm O'Hare Parnagian LLP in New York, NY.
2. I serve as co-counsel to a subset of twelve (12) Plaintiffs in the above-captioned case. I also serve as co-counsel to the same subset of twelve (12) Plaintiffs in *Ray, et al., v. Islamic Republic of Iran, et al.*, 1:19-cv-00012 (GBD)(SN).
3. The amounts of damages sought for the subset of *Grazioso* Plaintiffs that I represent, who are all immediate family members of a 9/11 decedent, were determined by this Court in *Ray*, with two exceptions.
4. The two exceptions are Plaintiffs Constance Finnicum and George "Gabe" Gabrielle. Although they are both Plaintiffs in *Ray*, their former counsel had obtained judgments

against Iran in *Ashton, et al. v. Al Qaeda Army, et al.*, 02-cv-6977 (GBD)(FM). MDL Doc. No. 3300. Accordingly, these two Plaintiffs were not included in the motion for partial final default judgment in *Ray*. They will be included in a future motion for partial final default judgment against Iran's agencies and instrumentalities, along with other *Ray* plaintiffs.

5. Like those in *Ray*, the *Ashton* damages awards for Plaintiffs Finnicum and Gabrielle were consistent with those originally determined for siblings of a 9/11 decedent in *Havlish, et al. v. bin Laden, et al.*, 1:03-cv-09848 (GBD)(SN).

6. I submit this Declaration also to state compliance with the due diligence procedures originally proposed at MDL Doc. No. 3433, which were approved by the Court at MDL Doc. No. 3435, to ensure that duplicate judgments are not issued in this MDL. These procedures were recently reaffirmed by the Court at MDL Doc. Nos. 9355, 9435.

7. I reviewed the following documents to ensure that no duplicative judgments have been sought or entered on behalf of the subset of twelve (12) Plaintiffs that I represent in *Grazioso* against the Defendant Taliban.

- a. The list of MDL clients submitted to the Court on January 23, 2017, at MDL Doc. No. 3433-2 that was compiled in connection with default proceedings against Iran;
- b. The application for partial final default judgment filed by Kreindler & Kreindler LLP, at MDL Doc. No. 8275-1;
- c. The Order Granting Partial Final Judgment Against the Taliban entered by this Court in *Burnett, et. al. v. Al-Baraka Investment & Development Corporation, et al.*, 1:03-cv-09849(GBD)(SN) at *Burnett* Doc. No. 1177;

d. Appendix 1 to the application for partial final default judgment filed by Anderson Kill P.C. at O'Neill Doc. No. 633-1.

8. To my knowledge, no other application for a final enforceable judgment for money damages against the Taliban has been filed by or on behalf of the subset of Grazioso Plaintiffs that I represent by any other attorney or law firm.

9. O'Hare Parnagian LLP received the clients we represent in this MDL either via referral or directly via preexisting personal relationships with the clients and their families. The relationships between 9/11 Decedents and O'Hare Parnagian's clients were verified by the referring law firm and/or by a review of documentation provided to O'Hare Parnagian LLP, or were a matter of personal knowledge of an attorney at O'Hare Parnagian LLP.

FURTHER THE DECLARANT SAYETH NOT.

This Declaration is made and executed within the United States and is comprised of nine separately numbered paragraphs, one of which contains sub-paragraphs.

I, ANDREW C. LEVITT, declare under penalty of perjury that the foregoing is true and correct. Executed on February 15, 2025.

/s/

Andrew C. Levitt (New York Bar No. 2734465)
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Co-Counsel for Grazioso Plaintiffs Harley DiNardo; Harley DiNardo as Personal Representative of the Estate of Esterina DiNardo; Pio DiNardo; Andrew Economos; Andrew Economos and Olga Valinotti as Co-Personal Representatives of the Estate of Leon Economos; Olga Valinotti; Constance Finnicum; George "Gabe" Gabrielle; Mary Ellen Murach; Mary Ellen Murach, as Personal Representative of the Estate of

*Edward John Murach; Richard J. Murach; and
Katharine Tynion*